

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

James Peterson, et al.,
for and on behalf of themselves
and other persons similarly
situated,

Plaintiffs,

v.

ORDER
Civil No. 07-2502

Seagate US LLC, Seagate Technology,
et al.,

Defendants.

Dan Kohrman, Laurie McCann and Thomas Osborne, AARP Foundation
Litigation, Beth E. Bertelson and Andrea R. Ostapowich, Bertelson Law Offices,
P.A., and Dorene R. Sarnoski, Dorene R. Sarnoski Law Office Law Office for and
on behalf of Plaintiffs.

Marko J. Mrkonich, Kathryn Mrkonich Wilson and Susan K. Fitzke, Littler
Mendelson for and on behalf of Defendants.

The above-entitled matter comes before the Court upon Plaintiffs' objection
to the Report and Recommendation of United States Chief Magistrate Judge
Arthur J. Boylan dated January 27, 2011 denying Plaintiffs' motion for sanctions
based on Defendants' alleged spoliation of electronic data. Plaintiffs assert that
the Magistrate Judge's recommendation is based on errors in law and in fact.

Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based on that review the Court will adopt the Report and Recommendation dated January 27, 2011.

IT IS HEREBY ORDERED that Plaintiffs' Motion for Sanctions Related to the Non-Preservation of Evidence is [Doc. No. 267] is DENIED.

Date: March 14, 2011

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court